

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**KYRELL WELLS,**

**Defendant.**

**8:22CR214**

## ORDER

This matter is before the court on the Unopposed Motion to Continue Trial [26]. The undersigned magistrate judge has communicated with the attorneys and the parties are working to resolve the matter short of trial. Additional time is necessary in order to make further attempts to find a mutually acceptable resolution. Based on the information received from counsel, and the contents of Defendant's motion, the court finds good cause has been shown.

**IT IS ORDERED** that the Unopposed Motion to Continue Trial [26] is granted, as follows:

1. The jury trial now set for July 31, 2023 is continued to **September 5, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and September 5, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without requesting a hearing before the undersigned magistrate judge.**

**DATED: July 25, 2023.**

**BY THE COURT:**

**s/ Susan M. Bazis**  
**United States Magistrate Judge**